

FILED

JAN 11 2018

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_  
DEPUTY CLERK

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA

§

§

VS.

§

§

DANIEL ODELL

§

§

NO. SA-17-CR-113-FB

FINDINGS OF FACTS  
AND CONCLUSIONS OF LAW  
ON THE ISSUE OF GUILT

On the 11<sup>th</sup> day of January, 2018, came on to be considered the bench trial in above-entitled and numbered cause. The Court, has heard the arguments and authorities of counsel, and reviewed and considered the evidence admitted. Both parties have rested and closed. Having considered all of the evidence in this case, as well as the applicable law, the Court hereby enters the following findings of fact and conclusions of law:

1. The Defendant is competent to stand trial.
2. The Defendant knowingly and voluntarily waived his right to a jury trial.
3. The Government has proved beyond a reasonable doubt that the Defendant committed the crime charged in Count One of the Indictment.
4. The Defendant has proved by clear and convincing evidence
  - a. that during and at all times the subject of the indictment the Defendant suffered from a severe mental disease or defect; and
  - b. that because of the severe mental disease or defect, the Defendant was unable to appreciate the nature and quality of his acts, and was unable to appreciate the wrongfulness of his acts.
5. Therefore, as to Count One of the Indictment, the Court finds the Defendant, Daniel

Odell, Not Guilty Only by Reason of Insanity, in accordance with Title 18, United States Code, Section 4242(b)(3).

ORDERED this 11 day, January, 2018.

  
FRED BIERY  
United States District Judge